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July 29, 2020

**VIA ECF**

Honorable Paul A. Engelmayer  
United States District Judge  
United States District Court, SDNY  
40p Foley Square, Room 2201  
New York, New York 10007

Re: Hugo Kayo v. Police Officer Peter Mertz, et al., 19 Civ. 00365 (PAE)

Your Honor:

I am an attorney that represents plaintiff in the above-referenced matter. I write to respectfully request that the Court extend the due dates for plaintiff's Opposition to Defendants' Motion for Summary Judgment and Plaintiff's Cross Motion for Partial Summary Judgment motion and responsive motion papers for two weeks. The reason for this request is because I have fallen ill over the last few days and as a result I have been unable to competently work on the motion. I am scheduled to go to the doctor this afternoon to hopefully receive a diagnosis, and I will immediately advise the Court if it appears that I may be sick longer than I currently anticipate. Defendants' consent to plaintiff's request. The following proposed motion schedule is a revised schedule adding two weeks to each of the remaining deadlines:

Plaintiff's brief in support of his motion for partial summary judgment and in opposition to plaintiff's motion: **August 12, 2020**

Defendants' brief containing their reply an opposition to plaintiff's motion: **August 26, 2020**

Plaintiff's Reply: September 4, 2020

Once again I apologize if this application causes any inconvenience to the Court, as I try my best to file all papers with the Court in a timely manner, but I have not been able to physically draft and the motion papers in this case due to my illness and physical condition

We thank the Court for its consideration herein.

Respectfully submitted,

Granted. The Court will adopt the schedule proposed by plaintiff, and wishes plaintiff's counsel a speedy recovery.

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

July 29, 2020

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/s/  
David M. Hazan, Esq.  
*Attorney for Plaintiff*